

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JEFFERSON VILLAGE ENTERPRISES, INC.,

Plaintiff,

v.

Case No. 10-14638

UNITED STATES OF AMERICA and
THOMAS J. VILSACK,

Defendants.

**ORDER GRANTING THE GOVERNMENT'S MOTION TO COMPEL AND DIRECTING
PLAINTIFF TO RESPOND TO WRITTEN DISCOVERY REQUESTS**

On March 4, 2011, the Government filed a motion to compel, in which it asserts that Plaintiff has failed to respond properly to its written discovery requests. Plaintiff has not responded to the motion, and the time for responding has passed. See E.D. Mich. LR 7.1(e). In its motion, the Government states that it served on Plaintiff several Rule 33 interrogatories and Rule 34 requests for production, but Plaintiff has not adequately responded. “[A]n evasive or incomplete disclosure, answer, or response must be treated as a failure to disclose, answer, or respond.” Fed. R. Civ. P. 37(a)(4). Upon motion, the court may enter an order to compel a discovery response. Fed. R. Civ. P. 37(a)(3)(B).

After a review of the interrogatory responses attached to the Government's motion, the court finds that the brief and hand-scrawled notes are tantamount to a failure to disclose. Plaintiff must properly respond to all interrogatories served by the Government. In addition, Plaintiff must thoroughly and completely respond to any other

discovery requests, including the Government's request for production here. Failure to do so will result in the court lifting the stay it imposed through its February 24, 2011, order, in addition to other possible sanctions permitted under Rule 37(b). Accordingly,

IT IS ORDERED that the Government's "Motion to Compel" [Dkt. # 15] is GRANTED. Plaintiff is DIRECTED to fully respond to the written discovery requests that were the subject of the motion by **March 29, 2011**. If Plaintiff fails to comply with this order, the court will lift the stay previously imposed and may take other actions permitted under the Rules.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 22, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 22, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522